

REMARKS

In response to the office action mailed March 15, 2006, Applicants amended claim 1, withdrew claim 4, and cancelled claims 27-107 and 112-127. Claims 1-3, 5-26, and 108-111 are presented for examination.

The Examiner objected to Figures 1 and 2 filed on February 23, 2006.¹ However, the Examiner did not provide any reasons for the objection and did not specify what correction is needed. Applicants therefore ask the Examiner to either withdraw the objection or to provide reasons for the objection.

The Examiner rejected claims 1-3, 5-27, and 108-111 under 35 U.S.C. §112, 1st paragraph as being not enabled. Applicants cancelled claim 27 and amended claim 1 to obviate this rejection, so the rejection should be withdrawn.

The Examiner rejected claims 1-3 and 5-27 under 35 U.S.C. §102(e) as being anticipated by Kurdikar et al., U.S. Patent 6,043,063 ("Kurdikar").²

Applicants cancelled claim 27, so the rejection of this claim should be withdrawn. As amended, claims 1-3 and 5-26 cover methods that include applying a centrifugal force to a solution (including a PHA, a solvent, and a precipitant) and a residual biomass to separate at least some of the solution from the residual biomass. Kurdikar describes extracting a PHA from a biomass by first dissolving the PHA in a PHA-good solvent to form a PHA-enriched solvent and then recovering the PHA from the PHA-enriched solvent by addition of a PHA-poor solvent. *See, e.g.*, the Abstract and column 4, lines 40-46. In other words, Kurdikar describes separating the precipitated PHA from the PHA-enriched solvent. However, Kurdikar does not disclose or suggest separating at least some of a solution containing a PHA, a solvent, and a precipitant from a residual biomass, as required by amended claims 1-3 and 5-26. Thus, Applicants request reconsideration and withdrawal of this rejection.

¹ It is not entirely clear from the Examiner's handwriting whether the drawings filed on July 23, 2003 or those filed on February 23, 2006 were objected to. Applicants assumed that the Examiner objected to the most recently filed formal drawings.

² Applicants would like to point out that the Examiner should have rejected claims 1-3 and 5-27 under 35 U.S.C. §102(b) because Kurdikar was issued on March 28, 2000, more than one year before the earliest priority date of this application, i.e., August 6, 2002.

The Examiner rejected claims 1-3 and 5-27 under 35 U.S.C. §103(a) as being obvious by Kurdikar in view of Noda, U.S. Patent 5,821,299 ("Noda"), Horowitz, U.S. Patent 6,340,580 ("Horowitz"), or Martin U.S. Patent 6,709,848 ("Martin").

Applicants cancelled claim 27, so the rejection of this claim should be withdrawn. As discussed above, amended claims 1-3 and 5-26 cover methods that include applying a centrifugal force to a solution (including a PHA, a solvent, and a precipitant) and a residual biomass to separate at least some of the solution from the residual biomass. As also discussed above, Kurdikar does not disclose or suggest such methods. None of Noda, Horowitz, and Martin cures the deficiency in Kurdikar because, similar to Kurdikar, none of Noda, Horowitz, and Martin discloses or suggests methods that include separating at least some of a solution containing a PHA, a solvent, and a precipitant from a residual biomass, as required by amended claims 1-3 and 5-26. None of the four cited references, alone or in combination, discloses or suggests the methods covered by amended claims 1-3 and 5-26. There is no suggestion to combine these references to provide such methods, and, even if the references were combined, the result would not be the methods covered by amended claims 1-3 and 5-26. Thus, Applicants request reconsideration and withdrawal of this rejection.

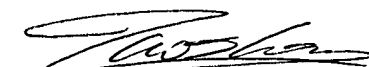
Applicants believe that the application is now in condition for allowance, which action is requested.

Enclosed is a check for the Petition for Extension of Time fee. Please apply any other charges to deposit account 06-1050, referencing Attorney's Docket No.: 14074-003001.

Respectfully submitted,

Date: _____

9-15-06



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